

**BEFORE THE HEARINGS PANEL
APPOINTED BY THE TE TAI O POUTINI JOINT COMMITTEE**

UNDER THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Proposed Te Tai o Poutini Plan

**Topic: Natural Features and
Landscapes**

**STATEMENT OF EVIDENCE OF JAMES BENTLEY
ON BEHALF OF MANAWA ENERGY LIMITED (S438)**

DATED 12 February 2024

Contents

1.0	EXECUTIVE SUMMARY	2
2.0	INTRODUCTION	3
3.0	APPROACH TO EVIDENCE	4
4.0	LANDSCAPE METHODOLOGY	5
5.0	MANAWA SCHEME LOCATIONS IN RESPECT OF NATURAL FEATURES AND LANDSCAPES	13
6.0	OTHER MATTERS	21
7.0	CONCLUSION.....	21

1.0 EXECUTIVE SUMMARY

- 1.1 My name is James Arthur Bentley. I am a landscape architect at Boffa Miskell.
- 1.2 This evidence focusses on the Landscape overlays of the Proposed Te Tai o Poutini Plan (**pTTPP**) which are relevant to the renewable electricity generation operations of Manawa Energy Ltd (**Manawa**) across the West Coast Region.
- 1.3 Specifically, my evidence considers the overall methodology employed to prepare the background technical reports that led to the landscape overlays in the pTTPP including the associated values that underpin these areas. My evidence will also focus on the mapping of these areas, the changes made and the landscape schedules that underpin these mapped areas. As noted, my focus will concern primarily Manawa assets.
- 1.4 Within my evidence, I note that the methodology developed to assess the Region's landscape has not been undertaken according to best practice. Whilst I broadly support the review undertaken by Ms. Gilbert (January 2024), I consider that a fundamental starting point for any regional landscape assessment is to acknowledge all landscapes, not just those that are 'outstanding'. It is only after acknowledging all landscapes, through a landscape characterisation, that assessment on the 'special' or 'outstanding' landscapes can be determined.
- 1.5 In my view, this high-level work has resulted in errors in the mapping, and broad-sweeping descriptions in the ONL schedules, many of which appear almost generic.
- 1.6 Whilst I agree with Ms Gilbert that a Preamble be inserted as an introductory statement to Schedule 5, which will address to some extent the shortfall in identified landscape values, I am concerned that some areas not identified or mapped, will 'fall through the cracks' and will not be assessed. I have not seen the ONL Mapping (January 2024) mentioned by Ms. Gilbert in her 2024 report.
- 1.7 From Manawa's perspective, it is imperative that for their hydro schemes contained within an ONL, they are appropriately recognised in the Schedules as modifications. Very little, if any, modifications are described within the Schedules, which, from a policy perspective creates a distorted assumption that the ONL's are pristine. The risk of not identifying modifications such as these concerns the overall viability of ongoing operation, maintenance and further small infrastructural changes that are required for these key renewable electricity schemes.

2.0 INTRODUCTION

- 2.1 My full name is James Arthur Bentley. I am an Associate Partner and Landscape Architect at Boffa Miskell Limited, a national firm of consulting planners, ecologists, biosecurity, urban designers and landscape architects.
- 2.2 I am a registered member (NZ, 2010) of the New Zealand Institute of Landscape Architects (NZILA) as well as an elected chartered member (London, 2002) of the British Landscape Institute (CMLI). I hold a post-graduate diploma (2000) in Landscape Architecture as well as a Bachelor of Arts with Honours Degree in Landscape Architecture (1998) from the Cheltenham and Gloucester College of Higher Education (now the University of Gloucestershire) in the United Kingdom. I am also a member of the Resource Management Law Association (RMLA).
- 2.3 I have practised as a landscape architect for over 20 years on a wide range of projects including landscape and visual effects assessments, landscape and natural character studies and research projects. I also lecture at Lincoln University to third- and fourth-year students on landscape planning matters.
- 2.4 I have recently been assisting Marlborough District Council in their appeals concerning landscape and natural character matters for their Proposed Marlborough Environment Plan, which included drafting their landscape schedules that underpin the outstanding natural landscapes. I have undertaken this same landscape exercise for Selwyn District Council and numerous other councils concerning coastal natural character. I acted as a submitter (on behalf of Darby Partners) on the Queenstown Lakes District Council Outstanding Landscape (Priority Areas) Schedules for their District Plan Review in 2023.
- 2.5 I have prepared numerous landscape, natural character and visual effects-based assessments and evidence ranging from retirement villages, different forms of aquaculture, hydro schemes, plan changes and subdivisions. I assisted the Department of Conservation concerning the proposed Mokihinui Hydro scheme and am currently assisting Westpower with their Waitaha hydro proposal, near Harihari. With these projects, coupled with others, including the redevelopment of Dolomite Point, I am very familiar with the West Coast Region's landscapes.
- 2.6 I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. This evidence has been prepared in accordance with that Code and I agree to comply with it. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

3.0 APPROACH TO EVIDENCE

3.1 My evidence relates to the submission of Manawa which seeks various amendments to the identification and mapping of Natural Features and Landscapes within the pTTPP.

3.2 In preparing my evidence, I have reviewed the following reports:

- Bridget Gilbert Landscape Architecture (January 2024) Te Tai o Poutini Plan – Landscape Report.
- Te Tai o Poutini Plan, Addendum to Natural Features and Landscapes s42A Report – Response to Landscape Review Report from Bridget Gilbert. (31 January 2024).
- Brown NZ Ltd (March 2022) West Coast Landscape Study: Review of Outstanding Natural Landscapes & Area of High & Outstanding Natural Character.
- Brown NZ Ltd (September 2022) Northern, Central and Southern West Coast Maps.
- Brown NZ Ltd (March 2021) West Coast Landscape & Natural Character Study 2012 & 2013: Explanation of Assessment Methodologies.

and

- Relevant sections of the s42A Report.
- Brown NZ Ltd (May 2013) West Coast Region Landscape Study containing schedules of each Outstanding Units.
- Brown NZ Ltd (undated) photographs of chosen landscape units.
- Brown NZ Ltd (May 2013) West Coast Landscape Study – Maps 1-10 *illustrating areas of outstanding natural landscapes, the inland extent of the coastal environment, landscape unit boundaries and landscape unit numbers.*

3.3 Specifically, my evidence does not reflect a comprehensive review of all the above. Instead, my evidence focuses on the following aspects, where the resultant overlay relates to the assets of Manawa within the West Coast Region (i.e., four hydroelectric power schemes). My evidence is structured as:

- Methodology for Landscape¹ (definitions, approach, best practice, transparency and rigor).
- Review of relevant schedules and maps for the following areas that contain Manawa assets:
 - Lake Wahapo and Okarito Forks (ONL15 and 16).
 - McKays and Kaniere power stations (ONL25)
 - Dillmans, Duffers and Kumara power stations, dams, canals/ water races (ONL27).

3.4 I have also considered the Arnold Power Station, however this scheme does not fall within an ONL, so I have therefore not commented on this.

4.0 LANDSCAPE METHODOLOGY

4.1 An outline of the original approach employed to assess Landscapes is contained within *Brown NZ Ltd (March 2021) West Coast Landscape & Natural Character Study 2012 & 2013: Explanation of Assessment Methodologies*.

4.2 A review by Ms Gilbert in January 2024² has been provided, which broadly validates the approach taken to assess and identify Outstanding Natural Features and Landscapes in the West Coast Region by Mr Brown.

4.3 I have reviewed both the Brown (March 2021) report and the Gilbert (January 2024) report. Broadly, many of the matters that I had observed within the Brown work have been discussed/ made clearer within the Gilbert (January 2024) report. However, I do note that despite some agreement, there are some key matters that I wish to highlight, which, in my view, warrant further integration. This, in some way may be addressed by Ms Gilberts recommendation concerning a Preamble to Schedule 5, but not wholly.

4.4 Specific matters I wish to address concerning the methodology include:

- The process of inserting key elements of the landscape work into the pTTPP.
- The definition of landscape (and landscape character).
- The identification of ONFs and ONLs.
- The schedule of landscape values.

¹ I have not been instructed to review the coastal or riverine natural character work.

² Bridget Gilbert Landscape Architecture (January 2024) Te Tai o Poutini Plan – Landscape Report.

The process of inserting key elements of the landscape work into the pTTPP

- 4.5 I understand that the notified version of the pTTPP utilised the Brown 2013 ONL Mapping and Schedules³. I also understand that no peer review was undertaken of the Brown 2013 ONL work by an independent landscape architect⁴, until now. I am also unaware of any engagement with key stakeholders regarding ONLs prior to the pTTPP being notified.
- 4.6 Having worked on behalf of other regions and districts in compiling their second-generation plan concerning landscape and coastal natural character matters, there have always been opportunities for stakeholders to work through some of these issues, prior to a plan being notified. This has meant that matters can be dealt with early, and issues refined when the plan is officially notified. A peer review process early on can highlight potential methodological matters which may be able to be rectified before notification. In my view, some of the key issues mentioned within my evidence could have been addressed and avoided, thereby streamlining and expediting the process under this truncated timescale.

Definition of landscape (and landscape character)

- 4.7 Within Chapter 3 of the Gilbert 2024 report, Ms Gilbert notes that the definition of 'landscape' used of the Landscape work is the accepted definition. Whilst the definition has changed slightly since this time, I accept that the definition of landscape, used by the Landscape Study, is sound and is in line with the accepted definition used in TTatM⁵:

*'Landscape embodies the relationship between people and place: It is the character of an area, how the area is experienced and perceived, and the meanings associated with it'*⁶.

- 4.8 The word 'embodies' means landscape is an integrating concept.

'While landscape draws strands from diverse sources (natural sciences, humanities, cultural perspectives), it is perceived and experienced as a unified

³ Gilbert (2024), paragraph 2.5.

⁴ Gilbert (2024), paragraph 3.5.

⁵ Te Tangi a te Manu.

⁶ Te Tangi a te Manu, para 4.20, p 34. This definition focuses on the relationship between people and place (one of the two strands of meaning of 'landscape') and describing the three dimensions (physical, associative, and perceptual) in ordinary terms

*phenomenon. It is an integrated whole. It is more than a summary of data – the whole is greater than the sum of the parts’.*⁷

- 4.9 Both the Brown (2021) and Gilbert (2024) reports note that the definition used for the work has stemmed from best practice⁸. However, within paragraph 3.3 of Ms Gilbert’s report it is clearly stated that only part of the West Coast landscape has been assessed:

‘It is noted that the 2013 ONL Mapping and Schedules form a ‘standalone’ document rather than part of a ‘full’ landscape study of the districts in which all landscapes (i.e. not just ONLs) are evaluated. While it is acknowledged that a full landscape study is usually preferable, it is noted that several district and regionwide landscape assessments throughout the country are similarly structured to focus on identifying RMA s6(b) landscapes only (for example, Auckland, Northland, Waikato)’.

- 4.10 The Brown Report (2021) Page 11 Section 2.3 alludes to how landscape characterisation⁹ can inform an understanding of landscape values. However, this was not done.

- 4.11 Te Tangi a te Manu¹⁰ states:

‘Analyse, describe, and interpret landscape character in line with the concepts and principles outlined in Chapters 4 and 5 of the Guidelines. Typical methods include: i) explaining the story of the region or district’s whole landscape, ii) analysing the components, and iii) mapping the region/district into distinct landscape character areas.

Analyse and describe the whole regional or district landscape....

Interpret how the landscape components come together as character—the combination of landscape attributes (characteristics and qualities) that makes the region/district distinct. Provide an historical explanation of the landscape’s nature and the relationship of people with it.

⁷ Te Tangi a te Manu, para 4.21, p 34

⁸ Gilbert (2024), paragraph 3.1(b), (c) and (d).

⁹ Landscape character is derived from a combination of landscape components (i.e. landform, land cover and land use) that makes one area different from another. It normally follows a process of landscape description. It is not concerned with ranking or evaluating landscapes or identifying which areas of landscape are better or worse. ‘Landscape characterisation’ is the term used for the process of identifying, mapping and describing landscape character areas. Each character area has a distinguishing combination of biophysical and cultural factors that make it distinctive.

¹⁰ Te Tangi a te Manu, parage 253

Map the region/district into distinct landscapes or landscape character areas. A hierarchical model may be used (similar to a genus-species approach) where the region/district is divided into high-level landscape character types, each of which contains different landscape character areas and landscapes.

4.12 Te Tangi a te Manu continues by stating:

'Evaluate the landscape values for each landscape character area or landscape (the reasons the area is valued, including potential value) and describe the physical attributes on which such landscape values depend (the attributes that embody the values). In practice, this will typically be done in an iterative way in conjunction with assessing the character of an area. As described at paragraph 5.28, interpretation of a landscape's character will point to its values and evaluation of a landscape's values will point to the attributes on which those values depend.

The purpose of identifying the values and attributes of the whole region/district is to: i) provide the context for evaluating outstanding natural features and landscapes (and other significant landscapes), and ii) inform the management of the whole landscape resource rather than just a few special places'.

4.13 Whilst I can appreciate the commentary in paragraph 3.4 of Ms. Gilbert's report, I consider this a shortcoming in the assessment process, where only parts of the landscape have been appropriately assessed. The ONL identification has, in my view, not been consistent with the definition of the term 'landscape' relied upon by the Study. In my view, there may be parts of the district and region that may warrant specific attention (i.e., inclusion as an ONL or, perhaps, removal of the ONL status), that have been missed. This also includes areas of the marine environment.

The identification of ONFs and ONLs

4.14 The original Brown work is over a decade old, and whilst I acknowledge that the terminology for best practice has changed, the fundamentals of identifying relevant landscape attributes for that work were prepared using best practice. I therefore agree with the commentary by Ms. Gilbert in paragraphs 3.6, 3.7 and 3.8 of her 2024 review, particularly noting the shift overtime of terminology.

4.15 I also acknowledge the very little tāngata whenua involvement in the landscape study and note the direction preferred by the hearing report author, which supports further engagement with tāngata whenua (Ngāi Tahu) around reviewing the ONLs and ONFs

against the Sites of Significance to Māori. Like Ms Gilbert¹¹, I support this recommendation.

4.16 I also note that there is no identification of ONFs. Features are mentioned within the Brown (March 2021) report, but ultimately conflated with landscapes as 'ONFLs'. However, on the pTTPP website, Outstanding Natural Features have been identified and mapped. It is understood that a separate geoscience report was prepared which identified ONFs based on a geological and geomorphological basis, rather than a landscape basis. This differentiates ONFs from ONLs within the pTTPP. Reference to this in the Brown (March 2021) report would have been beneficial.

4.17 In terms of ONL mapping, this is outlined on page 9 of Ms. Gilberts review (2024). Paragraph 3.28 of that review states:

'Mr Brown has advised that the general approach that he applied to the ONL mapping was to capture the areas of: contiguous bush cover and undeveloped waterbodies, coastal flats, lake margins, and river terraces; and align ONL boundaries with legible landscape boundaries (e.g. landform and vegetation patterns).'

4.18 Whilst this is not inherently incorrect, it does potentially pose problems. It appears that this mapping technique is primarily a land use mapping exercise and does not appear to embrace other attributes of landscape, such as geomorphological or perceptual. Mapping of boundaries should reflect the purpose of the assessment and be in response to landscape character and values¹².

4.19 Whilst land-use can assist, it should not in my opinion be at the fore, where other techniques, that capture whole landscapes should also be considered as TTatM outlines:

¹¹ Gilbert (2024), paragraph 3.10.

¹² Te Tangi a te Manu, paragraph 5.19.

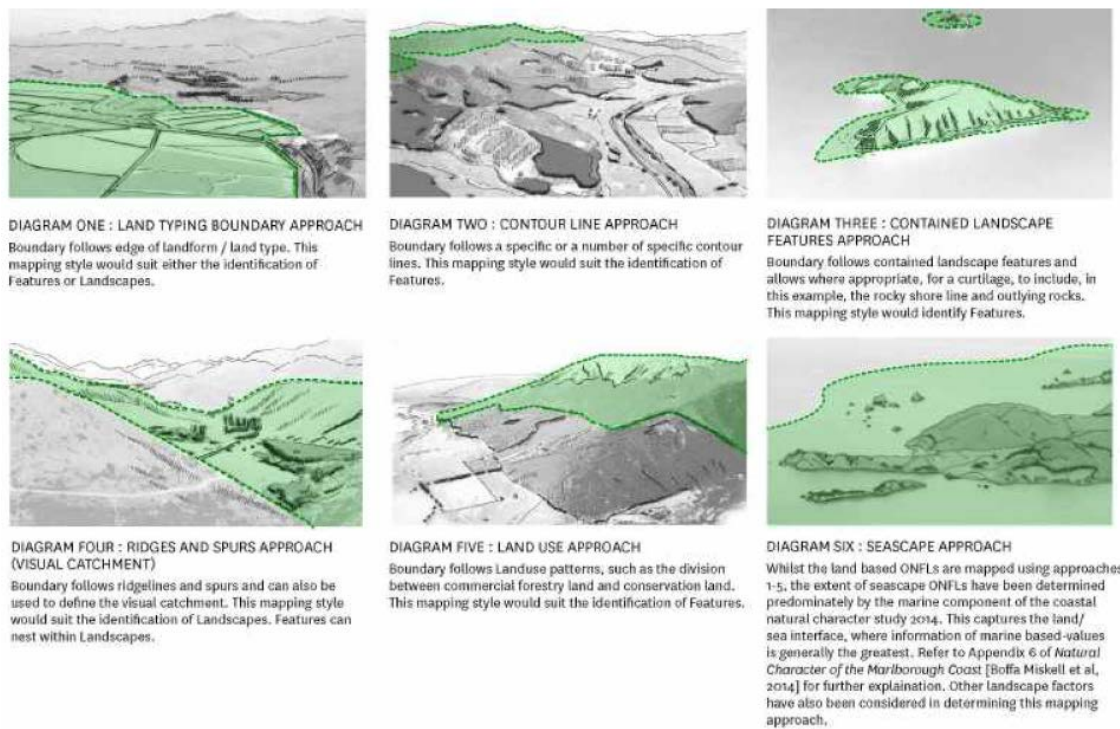


Image 1: Approaches to boundary delineation (Te Tangi a te Manu).

4.20 This mapping technique used by the Landscape Study can lead to ‘cut outs’ and ‘carve outs’, not often responding well to the landscape. Another concern I have is with the commentary contained within the Summary paragraph of Brown (2022)¹³ concerning cadastral mapping and public/ private areas. This states:

‘On the other hand, regional scale maps are often quite broad-brush, and it is inevitable that some ONLs and HNC/ONC Areas would still capture private properties, as the RMA is primarily directed at the management of NZ’s private domain (as opposed to its national, regional and district reserves, and the DoC estate more generally). Put simply, the boundaries of ONLs and HNC/ONC Areas occasionally align with those of private properties and their interface with DoC land and other reserves / parks, but that is rarely the case. Boundaries that are meaningful from a landscape standpoint must respond to the terrain, vegetation, water areas and land uses found in any area, irrespective of cadastral boundaries’.

4.21 Whilst I broadly support this, I do not adhere to the following commentary:

‘Having said this, it is hoped that the sort of realigned boundaries shown in this report would, at the very least, appreciably reduce the degree to which ONLs and HNC/ONC Areas ‘capture’ private properties and areas of private activity’.

¹³ Brown (2022), Section 4 Summary, page 83.

- 4.22 This exercise is not about ‘excluding private land’; it is concerned with appropriately identifying ONLs and ONFs and providing a management regime that protects them from inappropriate subdivision, use and development. It is also identifying boundaries in a reasoned way. Whether they are public/ private is not necessarily the question. It comes to how the area has been identified based on landscape character and values and then a consideration of what might be appropriate within that area can be better worked through.
- 4.23 Whilst I do not inherently ‘disagree’ with the Brown mapping approach, I consider that there are more fundamental approaches to ONL and ONF mapping that would result in a more defined, consistent, and appropriate outcome. Whilst scale is always a matter (and one which hasn’t been specified/ identified within the Brown mapping), I therefore consider that this approach used in the Study has led to some ONL boundaries that appear unconnected with the landscape¹⁴. A finer grain review is required. I explain more about the mapping in Section 5 of my evidence.

The Schedule of landscape values

- 4.24 The schedules of ONLs within the pTTPP are essential as they contain the information behind the mapping and basis through which important landscape values must be protected. The schedules of all ONLs (but not ONFs) are contained within Brown (May 2013) *West Coast Region Landscape Study containing schedules of each Outstanding Units*. It is understood that the Schedules in the pTTPP are broadly the same as within the Brown (May 2013) report.
- 4.25 In my view, the Schedules, as listed, are brief and do not comprehensively cover all aspects of landscape. Much of the commentary appears generic and descriptive-focussed and is at such a ‘high level’ that any detail is lacking. It is imperative that a sufficient level of detail is provided in the Schedules to ensure the ongoing protection and appropriate management of the ONL. In my view, this has not been undertaken comprehensively.
- 4.26 Ms Gilbert (2024) notes that the Schedules are ‘*high level*’¹⁵ primarily due to the ‘*low likely risk of development occurring in those landscapes*’.¹⁶ Ms. Gilbert explains that undertaking a more detailed assessment would provide additional financial cost to the community.

¹⁴ As viewed on the pTTPP maps on the website, however I have not seen the ONL mapping (January 2024) that Ms Gilbert refers to in her 2024 report.

¹⁵ Gilbert (2024), paragraph 3.44.

¹⁶ Gilbert (2024), paragraph 3.42.


4.27 I agree that there is a low likelihood of substantive development in many of these ONLs, however, in my view, it is important to enable that sufficient detail is identified so that resource users have confidence in understanding what type of activity might be appropriate, based on types of modification in the ONL. The way the Schedules are written implies that all ONLs in Westland are pristine (or almost pristine), when in fact, many contain a variety of infrastructure and related activities, including essential power generation facilities, transmission and roading networks.

4.28 The following quote from [2019] NZEnvC 205 Upper Clutha Environmental Society Inc v Queenstown Lakes District Council highlights this:

[110] We are also assisted by the observations of the Environment Court in Matakana to the effect that it is important for a district plan to identify not only ONF/L values but also "those things that would be inappropriate" given those values. The latter reference picks up on the Supreme Court's interpretation, in King Salmon, that "inappropriate subdivision, use, and development" in s6(b) RMA is to be understood with reference to what is sought to be protected.'

4.29 Whilst I appreciate that it is proposed that a Preamble be put in place, I do consider that at the very least, some further description is provided around existing modifications within ONLs, to enable a more comprehensive understanding of what it is that is being protected.

4.30 An example of that description (with modifications) is provided below for ONL27:

<p>Lower Taramakau River & Kawhaka Forest</p> <p><i>(with insert of ONL)</i></p> 	<p>Extensive braided river channel and gravel beds flanked by steep escarpments covered in mature native forest that extends across an elevated plateau housing a number of reservoirs.</p> <ul style="list-style-type: none"> • Dramatically eroded landforms clearly express the rivers power and varying flow. Broken vegetation and expansive depositional landforms reinforce these qualities. • Very extensive and homogenous swamp forest. Vegetation directly interacts with the river beds and the open waters of the reservoirs. • High transient values associated with evident bird life on the reservoirs and surrounding indigenous forest. • The Kapitea and Kumara Reservoirs are key landmarks within this unit. <p><u>Modifications include: SH73 extending through this landscape; Electricity lines associated with the Dillmans, Duffers and Kumara Power Scheme; the Kapitia and</u></p>
--	--

	<u>Kumara reservoirs, including some mown edges to the reservoirs; tracks and infrastructure associated with the power scheme.</u>
--	--

5.0 MANAWA SCHEME LOCATIONS IN RESPECT OF NATURAL FEATURES AND LANDSCAPES

5.1 Concerning the Manawa Scheme locations, I will focus on three specific areas. These are:

- Lake Wahapo and Okarito Forks (ONL15 and ONL16).
- McKays and Kaniere power stations (ONL25).
- Dillmans, Duffers and Kumara power stations, dams, canals/ water races (ONL27).

5.2 I outline these below separately.

Lake Wahapo and Okarito Forks – Wahapo Power Scheme

5.3 Lake Wahapo and Okarito Forks appears within ONL 15 and ONL 16. The power scheme comprises a power station, canal, roads, transmission poles, cluster of buildings and regulations on water flow to the Okarito River.



Figure 2: ONL 15 and ONL 16 boundaries in relation to Wahapo Power Scheme, as notified

5.4 The schedule (below) is identified within Schedule Five of the pTTPP. It is noted that the wording is identical to that within the Brown report.

ONL15	Koihauha/ Gillespies Point to Te Kohumarua Bluff	<p>Series of steep craggy headlands and isolated sandy beaches backed by glacial shorn foothills covered in native forest which contain a number of lake and swamp basins.</p> <ul style="list-style-type: none"> • Dramatic interaction of the landscape with Te Tai-o-Rehua/ the Tasman Sea with its sheer cliffs and scarps, continuous coastal and lowland forest cover providing a consistent patterning to this exposed landscape. • Combination of glacial sculpted terrain with continuous vegetation cover, moderate relief, and the tranquility of the lakes opening up views up and down the valley basins reinforce the natural qualities of this landscape. • Unmodified vegetation sequences from dunefields to mature coastal forest. • Māpouriki/Lake Mapourika, Wahapo, Matheson, Three & Five Mile Lagoons, and Ōmoeroa Range are key landmarks within this unit <p>Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL15.</p>
ONL16	Ōkārito Lagoon to Mt Bird	<p>Vast and remote lagoon systems enclosed by extensive beaches and dune fields and flanked by mature low lying coastal forest which extends inland to Mt Bird across a broad gentle inclined glacial terrace.</p> <ul style="list-style-type: none"> • Unmodified sequences of dunefield and wetland vegetation through to mature coastal forest. • Highly dynamic and dramatic interaction / relationship between the Ōkārito River mouth, associated sand bars and the open waters of the Tasman Sea. • Enclosure of the lagoon is expressive of formative coastal processes. • Combination of the enclosing terrain, continuous and vast expanse of vegetation cover, the tranquility of the Lagoons expansive open waters opening up views up and down the coast reinforce the natural qualities of this landscape. • Ōkārito is a key landmark within this landscape.

Figure 3: Snip of Schedule relating to ONL 15 and ONL 16

- 5.5 The power scheme comprises a power station, canal, roads, transmission poles, cluster of buildings and regulations on water flow to the Okarito River.
- 5.6 The extent of ONL mapping in relation to the Manawa scheme appears a blanket approach, which is consistent with the definition contained within the Brown (March 2021) report. All of Lake Wahapo, including its margins and the surrounding bush covered hills are classified as ONL. Also included is the Okarito River and its delta network extending to Okarito Lagoon. The Manawa scheme, along with other modifications, including part of SH6 and the Okarito settlement are also included within this overlay. However, parts of the linework to the east of Lake Wahapo appear blunt in their delineation, where it does not appear to follow a coherent landscape boundary. Further, it is unclear the extent to which the important relationship with the Waitangitahuna River as part of this landscape has been considered.
- 5.7 I note in the Section 42 Addendum (31 January 2024) report that the ONL boundary has shifted slightly.

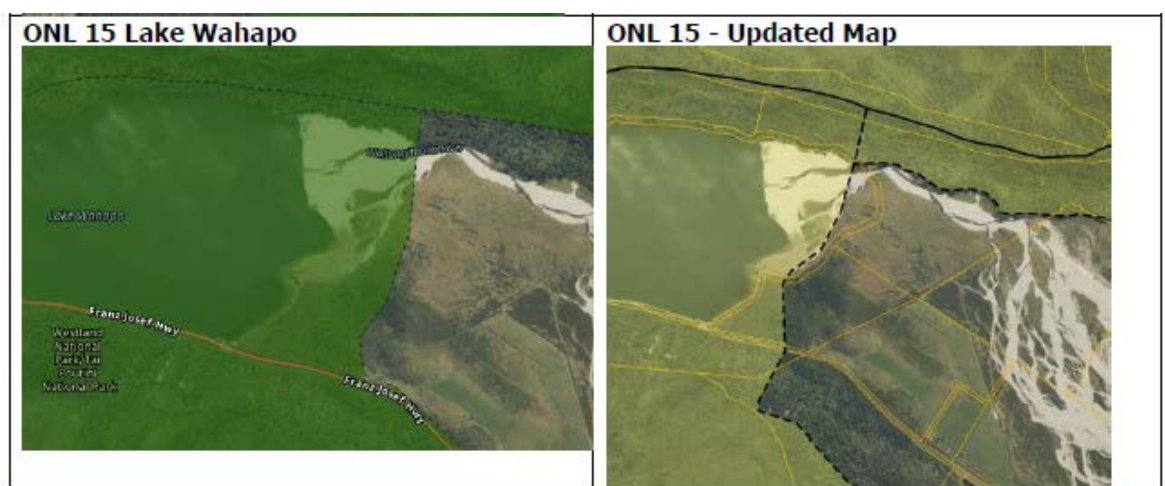


Figure 4: ONL 15 and ONL 16 boundaries in relation to Wahapo Power Scheme, as amended January 2024

- 5.8 As noted in the accompanying schedules, key landscape characteristics are outlined. These are not purely landscape values. The descriptions have not been ‘grouped into

clear *'physical, perceptual and associative'* aspects. There is also no mention of the modifications that form part of this landscape. This is considered a significant shortcoming of the study and forms a global concern that relates to all ONLs.

- 5.9 The Manawa scheme is completely contained within this ONL. I broadly agree with this. It is my recommendation that the schedules need to recognise existing infrastructure that is captured by the ONL, and in Manawa's consideration, reference to the existing power scheme should be noted. This then provides a contextual understanding noting that the ONL is not 'pristine' and that some potential further modification may be appropriate.

McKays and Kaniere Power Scheme

- 5.10 The Manawa McKays and Kaniere power schemes include some aspects that are contained within ONL 25. The intake at the lake, the canals, part of the penstocks are included in the ONL, however the power stations are not within the ONL.



Figure 5: ONL 25 boundary in relation to Kaniere / McKays Power Scheme, as notified

- 5.11 In terms of the Manawa assets, the existing power scheme comprises two power stations (Kaniere Forks Power Station and McKays Power Station), the Kaniere Water Race (and walkway), roads, transmission poles, cluster of buildings and regulations on water flow from Lake Kaniere.
- 5.12 The schedule (below) is identified within Schedule Five of the pTTPP. It is noted that the wording is identical to that within the Brown report.

ONL25	Lake Kaniere	<p>Elongated lake basin dramatically enclosed by an assemblage of broad ranges and hills whose underlying granite geology set them apart visually from the high altitude schist ranges to the east.</p> <ul style="list-style-type: none"> • Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief. Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes. • Very extensive and homogenous mature forest around the entire lake fringe that directly interacts with the open waters of the Lake. Intact sequences of wetland and swamp species through to canopy native forest. • Lake Kaniere, Mt Upright, & Turiwahati/Turiwhate are key / representative landmarks within this landscape. <p>Association with Ngāi Tahu – pounamu source and route to east coast.</p>
-------	--------------	---

Figure 6: Snip of Schedule relating to ONL 25

- 5.13 The extent of ONL 25 appears to include the majority of the Kaniere Water Race and Lake Kaniere Road as it extends adjacent to the Kaniere River, north of Lake Kaniere and stopping east of Lake Kaniere power station. The majority of the modifications associated with the power schemes, as noted earlier, are excluded from the ONL overlay.
- 5.14 The ONL essentially includes all of Lake Kaniere and the surrounding undulating and bush-covered landscape. To the west, the extent of the ONL is determined by the edge of the bush and the start of the more modified river plains associated with the Kokatahi and Hokitika Rivers. This appears to be consistent with the methodology.
- 5.15 There appears to be a large ‘gap’ of unmapped landscape to the northwest of Lake Kaniere, that includes areas of felled commercial forestry (around Blue Bottle Road) as well as around the Kaniere Forks power station. Essentially it appears that this broad area has not been included within the ONL due to the level of modifications apparent. To the north and east, the ONL is again delineated to avoid the more settled river valley of the Arahura River.
- 5.16 The methodology around capturing the ‘outstanding landscape’ appears reasonably concise, however, there is some inconsistencies in boundary treatments associated with the ONL that have no landscape underpinning.
- 5.17 One area that was raised in the submission, around the highly natural Kennedy Creek, appears to have been corrected by the Brown amendments (refer to Figure 6).

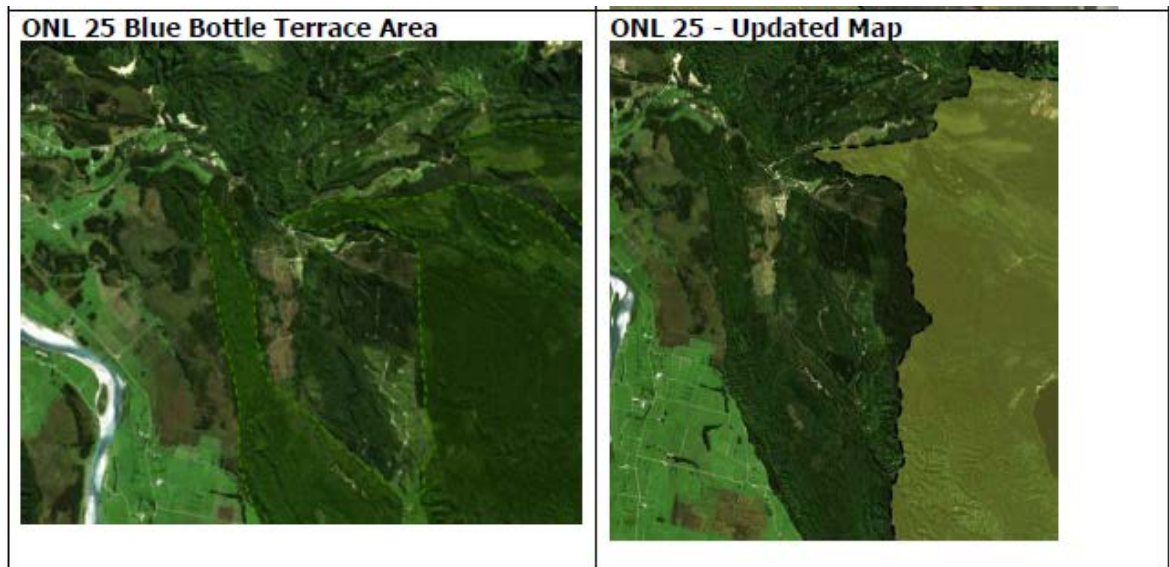


Figure 7: ONL 25 boundary in relation to Kaniere / McKays Power Scheme, as amended January 2024

- 5.18 I also note an amendment in the northwestern corner of Lake Kaniere has also been made to include this small area of excluded land from the ONL. I broadly support both of these amendments, noting that this now brings the intake for the power scheme within the ONL area. I do however consider that some finer grained analysis be undertaken to the linework, to sharpen the boundary which will define, more robustly, the landscape values, however I have not yet seen this as referenced in Gilbert (2024).
- 5.19 The Landscape Schedules describe the broad values and characteristics, and like the previous ONL analysis, do not 'order' the values into physical, perceptual or associative aspects. Further the schedule needs to recognise existing infrastructure that is captured by the ONL, and in Manawa's consideration, reference to the existing power scheme and its associated infrastructure.

Dillmans, Duffers and Kumara Power Scheme

- 5.20 The Dillmans, Duffers and Kumara Power Scheme are broadly associated with ONL27. The Manawa Scheme comprises three power stations, numerous canals and water races, three dams and two major reservoirs.



Figure 8: ONL 27 boundary in relation to Dillmans, Duffers and Kumara Power Scheme, as notified (northern section)

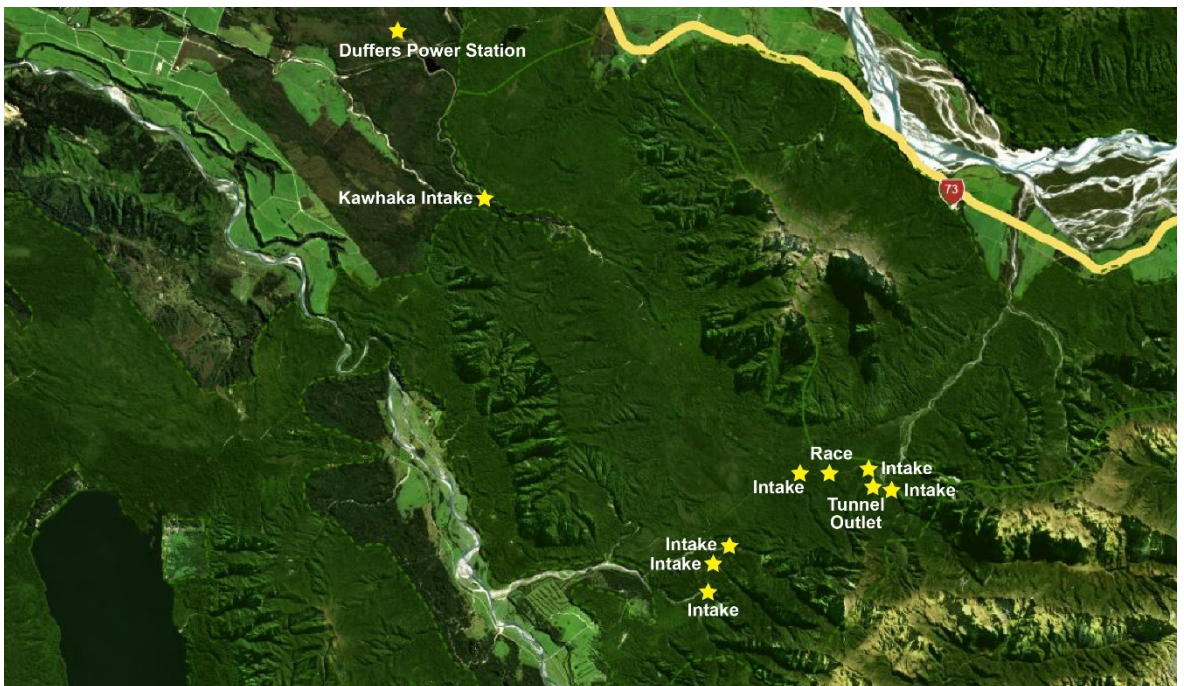


Figure 9: ONL 27 boundary in relation to Dillmans, Duffers and Kumara Power Scheme, as notified (southern section)

5.21 The schedule (below) is identified within Schedule Five of the pTTPP. It is noted that the wording is identical to that within the Brown report.

ONL27	Lower Taramakau River & Kawhaka Forest	<p>Extensive braided river channel and gravel beds flanked by steep escarpments covered in mature native forest that extends across an elevated plateau housing a number reservoirs.</p> <ul style="list-style-type: none"> • Dramatically eroded landforms clearly express the rivers power and varying flow. Broken vegetation and expansive depositional landforms reinforce these qualities. • Very extensive and homogenous swamp forest. Vegetation directly interacts with the river beds and the open waters of the reservoirs. • High transient values associated with evident bird life on the reservoirs and surrounding indigenous forest. • The Kapitea and Kumara Reservoirs are key landmarks within this unit.
-------	--	--

Figure 10: Snip of Schedule relating to ONL 27

5.22 One area raised in the Manawa submission concerned the exclusion of the Taramakau River. I note in the Section 42 Addendum (31 January 2024) report that the ONL boundary has shifted slightly in now include the river:

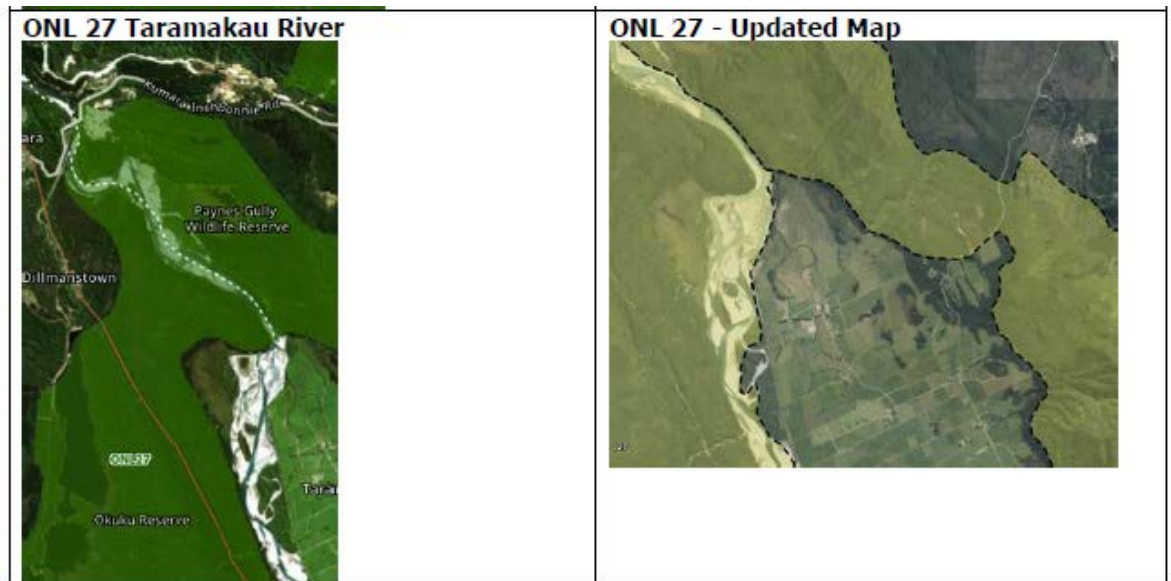


Figure 11: ONL 27 boundary in relation to Dillmans, Duffers and Kumara Power Scheme, as amended January 2024

5.23 I also noted the original ONL delineation in relation to the Kapitia Reservoir, where it appeared to ‘drift’ into the lake, not appearing to follow any logical feature, has also been amended. While I support these two mapping changes, I consider that some further refinement be made to the mapping, especially to the north of the reservoir, although I would need to sight the ONL (2024) mapping, mentioned by Ms. Gilbert.



Figure 12: NL 27 boundary in relation to Dillmans, Duffers and Kumara Power Scheme, as amended January 2024

5.24 As stated within the previous areas, within the accompanying schedules, key landscape characteristics are outlined. These are not purely landscape values and are recognised at such a high level, that they are almost generic. Further, the descriptions have not been ‘grouped into physical, perceptual and associative’ aspects. There is also no mention of the modifications that form part of this landscape. This is considered a significant shortcoming of the study and forms a global concern that relates to all ONLs.

Overview of mapped areas considered

5.25 Broadly, I support the noted amendments made to maps, however, I have yet to see the ONL mapping dated 2024 as mentioned by Ms. Gilbert in her report. I also support the notion that the ONL mapping is carefully reviewed by a landscape/ GIS expert¹⁷ to ensure that the mapping is appropriately capturing the outstanding landscape. Care needs to be taken to ensure that any review of ONL mapping, needs to be undertaken alongside an understanding of the landscape character and values/ schedules. Therefore, it may be that in some areas, ‘sizeable’ private land/ pasture is included within the ONL, and not always excluded as a ‘rule’ as expressed in Ms Gilberts (2024) paragraph 1.2(d). I am happy to assist with this task, insofar as it affects Manawa’s assets.

¹⁷ Gilbert (2024) Executive Summary, paragraph 1.2(d).

6.0 OTHER MATTERS

- 6.1 Within the s42A report, the term '*landscape measures*' is used as a matter of discretion when considering a new activity etc. The Manawa submission seeks to delete this term from the list of matters to which discretion is limited.
- 6.2 Ms Easton, the s42 author, opposes this deletion and considers it to be "*sufficiently different to the other matters to be included separately*". My concern, and I note that my colleague, Ms. Styles, also raises this, relates to its potentially ambiguous meaning. To put it plainly, it is not obvious what it is about landscape measures that are to be assessed? Is it directing consideration of the adequacy of proposed landscape measures? Is it asking for an assessment of what landscape measures are proposed to mitigate effects of a proposal? Is it targeted at reducing visual effects? Is it asking for landscaping in terms of planting of trees and shrubs? Without clarity in the wording of such matters, I consider that they do not appropriately direct assessment of a proposal.

7.0 CONCLUSION

- 7.1 Whilst some attempt at correcting the ONL mapping has occurred, I consider that the methodology employed has taken a 'too high level' approach. It has ignored the first stage of any regional landscape study by not undertaking a landscape character appraisal, which captures all landscapes. Only after this has been prepared, can an assessment on those 'special' or 'outstanding' landscapes be recognised. This high-level work has resulted in errors in the mapping, and broad-sweeping descriptions in the ONL schedules, many of which appear almost generic.
- 7.2 Whilst I agree with Ms Gilbert that a Preamble should be inserted as an introductory statement to Schedule 5 (along with a landscape/ GIS expert refining the linework), which will address to some extent the shortfall in identified landscape values, I am concerned that some areas not identified or mapped, will 'fall through the cracks' and not be assessed (including seascapes).
- 7.3 From Manawa's perspective, it is imperative that their hydro schemes that are contained within the ONLs are recognised in the Schedules as modifications. I outlined an example of what the modification text could contain for ONL27. Very little, if any modifications are contained within the Schedules, which, from a policy perspective creates a distorted assumption that the ONL is pristine.
- 7.4 Many of the ONLs are very large, and some contain a level of development within them that may appear very small. Therefore, there may be capacity for some change to be considered at a project/ consent level, where the level of adverse effects could be

considered very low/ appropriate. The risk, and from experience working in other regions and districts around the country is that ongoing operation, maintenance/ repair and further small infrastructural changes required for key renewable electricity schemes on the West Coast, within ONLs are likely to be an unnecessarily challenging process.

